

DENNIS J. HERRERA, State Bar # 139669
City Attorney
RONALD P. FLYNN, State Bar # 184186
Chief Deputy City Attorney
YVONNE R. MERE, State Bar # 173594
Chief of Complex & Affirmative Litigation
OWEN J. CLEMENTS, State Bar # 141805
SARA J. EISENBERG, State Bar # 269303
JAIME M. HULING DELAYE, State Bar #
270784
Deputy City Attorneys
Fox Plaza
1390 Market Street, Sixth Floor
San Francisco, CA 94102
Telephone: 415.554.3597
jaime.hulingdelaye@sfcityatty.org

*Attorneys for Plaintiff The People of the
State of California, acting by and through
San Francisco City Attorney Dennis J.
Herrera*

Additional counsel appear on signature page

Enu A. Mainigi (pro hac vice)
Colleen McNamara (pro hac vice)
Neelum J. Wadhvani (Bar No. 247948)
WILLIAMS & CONNOLLY LLP
725 Twelfth Street, NW
Washington, DC 20005
Tel: (202) 434-5000
Fax: (202) 434-5029
nwadhvani@wc.com
emainigi@wc.com

Edward W. Swanson, SBN 159859
August Gugelmann, SBN 240544
SWANSON & McNAMARA LLP
300 Montgomery Street, Suite 1100
San Francisco, California 94104
Telephone: (415) 477-3800
Facsimile: (415) 477-9010
ed@smllp.law
august@smllp.law

*Attorneys for Defendant
Cardinal Health, Inc.*

Additional counsel appear on signature page

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THE CITY AND COUNTY OF SAN
FRANCISCO, CALIFORNIA and THE PEOPLE
OF THE STATE OF CALIFORNIA, Acting by
and through San Francisco City Attorney DENNIS
J. HERRERA,

Plaintiffs,

v.

PURDUE PHARMA L.P., et al.

Defendants.

Case No. 3:18-cv-07591-CRB-JSC

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE DISCOVERY
CONFERENCE**

Pursuant to Civil Local Rule 7-12, the People of the State of California, acting by and through San Francisco City Attorney Dennis J. Herrera, (“the People”), together with Defendants McKesson Corporation, AmerisourceBergen Drug Corporation, Cardinal Health, Inc., Walgreen Co., Teva Pharmaceuticals USA, Inc, Teva Pharmaceutical Industries Ltd., Cephalon, Inc., Actavis LLC, Watson Laboratories, Inc., Actavis Pharma, Inc. f/k/a Watson Pharma, Inc, Endo Pharmaceuticals Inc., Endo Health Solutions Inc., Endo International plc, Par Pharmaceutical, Inc., Par Pharmaceutical Companies, Inc., Johnson & Johnson and its subsidiary Janssen Pharmaceuticals Inc. f/k/a as Ortho-McNeil-Janssen Pharmaceuticals, Inc. and Janssen Pharmaceutica, Inc., Allergan Finance, LLC f/k/a Actavis, Inc. f/k/a/ Watson Pharmaceuticals, Inc., Allergan Sales, LLC, Allergan USA, Inc., Warner Chilcott Company, LLC, Actavis Elizabeth LLC, Actavis Mid Atlantic LLC, Actavis Kadian LLC, Actavis Totowa LLC, Actavis South Atlantic LLC, Allergan plc, Actavis Laboratories UT, Inc., Actavis Laboratories FL, Inc., Anda, Inc., and Noramco, Inc. (collectively, “Defendants”), hereby stipulate and agree as follows:

1) The parties are scheduled to appear for a discovery conference on December 11, 2020.

2) On November 17, 2020, the Court issued its Discovery Order No. 2, which, *inter alia*, set forth a protocol for meeting and conferring before raising discovery disputes before the Court. *See* Docket 382. That protocol outlines a process spanning a minimum of 11 business days between an initial video meeting between the parties and the submission of a joint statement to the Court. *Id.* at 3.

3) The parties anticipate raising certain disputes at the next discovery hearing and have discussed a schedule for meeting and conferring pursuant to the Court’s protocol. Based on a hearing date of December 11, the parties understand that the protocol would require an initial meeting no later than Monday, November 23 and the transmission of the moving party’s letter brief no later than Friday, November 27. The order also provided that the parties should meet and confer regarding specific issues brought to the Court’s attention by November 23 and that the parties should raise any disputes regarding those issues according to the same protocol.

4) In order to allow the parties additional time to negotiate pending discovery disputes, and in light of the intervening Thanksgiving holiday on November 26, the parties request that the Court continue the December 11 hearing to December 18, 2020, at 9:00 a.m., a date and time the parties understand is convenient to the Court. The parties further request that the Court extend to November 30, 2020, the deadline for meeting and conferring on the issues for which the order set a deadline of November 23.

IT IS SO STIPULATED.

DATED: November 19, 2020

Respectfully submitted,

DENNIS J. HERRERA
City Attorney
RONALD P. FLYNN
YVONNE R. MERE
OWEN J. CLEMENTS
SARA J. EISENBERG
JAIME M. HULING DELAYE
Deputy City Attorneys
Fox Plaza
1390 Market Street, Sixth Floor
San Francisco, CA 94102
Telephone: 415/554-3957
jaime.hulingdelaye@sfcityatty.org

/s/ Matthew S. Melamed

Aelish M. Baig
Matthew S. Melamed
Hadiya K. Deshmukh
ROBBINS GELLER RUDMAN & DOWD LLP
Post Montgomery Center
One Montgomery Street, Suite 1800
San Francisco, CA 94104
Telephone: 415/288-4545
415/288-4534 (fax)
aelishb@rgrdlaw.com

Elizabeth J. Cabraser
Richard M. Heimann
Paulina do Amaral
Kevin R. Budner
Michael Levin-Gesundheit
Jacob H. Polin
LIEFF CABRASER HEIMANN &
BERNSTEIN, LLP
275 Battery Street, 29th Floor
San Francisco, California 94111-3339
Telephone: 415.956.1000
Facsimile: 415.956.1008
ecabraser@lchb.com

Paul J. Geller
Mark J. Dearman
Dorothy P. Antullis
ROBBINS GELLER RUDMAN & DOWD LLP
120 East Palmetto Park Road, Suite 500
Boca Raton, FL 33432
Telephone: 561/750-3000
561/750-3364 (fax)
pgeller@rgrdlaw.com
mdearman@rgrdlaw.com
dantullis@rgrdlaw.com

Thomas E. Egler
Carissa J. Dolan
ROBBINS GELLER RUDMAN & DOWD
LLP
655 West Broadway, Suite 1900
San Diego, CA 92101
Telephone: 619/231-1058
619/231-7423 (fax)

Louise Renne
RENNE PUBLIC LAW GROUP
350 Sansome Street, Suite 300
San Francisco, CA 94104
Telephone: 415/848-7240
415/848-7230 (fax)
lrenne@publiclawgroup.com

1 tome@rgrdlaw.com
2 cdolan@rgrdlaw.com

3 Jennie Lee Anderson
4 Audrey Siegel
5 ANDRUS ANDERSON LLP
6 155 Montgomery Street, Suite 900
7 San Francisco, CA 94104
8 Telephone: 415/986-1400
9 415/986-1474 (fax)
10 jennie@andrusanderson.com
11 audrey.siegel@andrusanderson.com

12 Edward Chapin
13 SANFORD HEISLER SHARP, LLP
14 655 West Broadway, Suite 1700
15 San Diego, CA 92101
16 Telephone: 619/577-4253
17 619/577-4250 (fax)
18 echapin2@sanfordheisler.com

19 Ellen Relkin
20 WEITZ & LUXENBERG P.C.
21 700 Broadway
22 New York, NY 10003
23 Telephone: 212/558-5500
24 212/344-5461 (fax)
25 erelkin@weitzlux.com

26 Paul F. Novak
27 Tiffany Ellis
28 WEITZ & LUXENBERG, P.C.
29 24th Floor, The Fisher Building
30 3011 W. Grand Boulevard
31 Detroit, Michigan 48202
32 Tel: (313) 800-4170
33 pnovak@weitzlux.com

Kevin Sharp
SANFORD HEISLER SHARP, LLP
611 Commerce Street, Suite 3100
Nashville, TN 37203
Telephone: 615/434-7000
615/434-7020 (fax)
ksharp@sanfordheisler.com

David S. Casey, Jr.
Gayle M. Blatt
Alyssa Williams
CASEY GERRY SCHENK FRANCAVILLA
BLATT & PENFIELD LLP
110 Laurel Street
San Diego, CA 92101-1486
Telephone: 619/238-1811
619/544-9232 (fax)
dcasey@cglaw.com
gmb@cglaw.com
awilliams@cglaw.com

Melinda Davis Nokes
WEITZ & LUXENBERG P.C.
1880 Century Park East
Los Angeles, CA 90067
Telephone: 310/247-0921
310/786-9927 (fax)
mnokes@weitzlux.com

Attorneys for Plaintiff The People of the State of California, acting by and through San Francisco City Attorney Dennis J. Herrera

1 DATED: November 19, 2020

Respectfully submitted,

2 By: /s/ Steven J. Boranian

By: /s/ Sonya D. Winner

3 Steven J. Boranian (Bar No. 174183)
4 Luke S. Porter (Bar No. 323847)
5 REED SMITH LLP
6 101 Second Street, Suite 1800
7 San Francisco, CA 94105
8 Telephone: (415) 543-8700
9 Facsimile: (415) 391-8269
10 sboranian@reedsmith.com
11 lporter@reedsmith.com

Sonya D. Winner (Bar No. 200348)
Nathan E. Shafroth (Bar No. 232505)
Isaac D. Chaput (Bar No. 326923)
COVINGTON & BURLING LLP
Salesforce Tower
415 Mission Street, Suite 5400
San Francisco, California 94105-2533
Telephone: + 1 (415) 591-6000
Facsimile: + 1 (415) 591-6091

Eric J. Buhr (Bar No. 217528)
Sarah B. Johansen (Bar No. 313023)
REED SMITH LLP
355 South Grand Avenue, Suite 2900
Los Angeles, CA 90071
Telephone: (213) 457-8000
Facsimile: (213) 457-8080
ebuhr@reedsmith.com
sjohansen@reedsmith.com

*Attorneys for Defendant
McKesson Corporation*

By: /s/ August Gugelmann

Neelum J. Wadhwani (Bar No. 247948)
Enu A. Mainigi (pro hac vice)
WILLIAMS & CONNOLLY LLP
725 Twelfth Street, NW
Washington, DC 20005
Tel: (202) 434-5000
Fax: (202) 434-5029
nwadhwani@wc.com
emainigi@wc.com

*Attorneys for Defendant
AmerisourceBergen Drug Corporation*

Edward W. Swanson, SBN 159859
August Gugelmann, SBN 240544
SWANSON & McNAMARA LLP
300 Montgomery Street, Suite 1100
San Francisco, California 94104
Telephone: (415) 477-3800
Facsimile: (415) 477-9010
ed@smlp.law
august@smlp.law

*Attorneys for Defendant
Cardinal Health, Inc.*

By: /s/ Zachary W. Byer

Zachary W. Byer (S.B. #301382)
KIRKLAND & ELLIS LLP
555 South Flower Street
Los Angeles, CA 90071
Tel: (213) 680-8400
zachary.byer@kirkland.com

Jennifer G. Levy, P.C. (pro hac vice)
KIRKLAND & ELLIS LLP
1301 Pennsylvania Ave., N.W.
Washington, D.C. 20004
Tel: (202) 879-5000
Fax: (202) 879-5200
jennifer.levy@kirkland.com

Donna Welch, P.C. (pro hac vice)
Timothy W. Knapp, P.C. (pro hac vice)
Karl Stampfl (pro hac vice)
KIRKLAND & ELLIS LLP
300 North LaSalle, Chicago, IL 60654
Tel: (312) 862-2000
Fax: (312) 862-2200
donna.welch@kirkland.com
tknapp@kirkland.com
karl.stampfl@kirkland.com

*Attorneys for Defendants Allergan Finance,
LLC f/k/a Actavis, Inc. f/k/a Watson
Pharmaceuticals, Inc., Allergan Sales, LLC
and Allergan USA, Inc.*

By: /s/ Amy R. Lucas

Amy R. Lucas (S.B. #264034)
O'MELVENY & MYERS LLP
1999 Avenue of the Stars, 8th Floor
Los Angeles, CA 90067
Tel: (310) 553-6700
Fax: (310) 246-6779
alucas@omm.com

Charles C. Lifland (S.B. #108950)
Sabrina H. Strong (S.B. #200292)
O'MELVENY & MYERS LLP
400 South Hope Street
Los Angeles, CA 90071

By: /s/ Elizabeth A. Sperling

Elizabeth A. Sperling (CA Bar No.
231474)
ALSTON & BIRD LLP
333 South Hope Street, 16th Floor
Los Angeles, CA 90071
Telephone: (213) 576-1000
Fax: (213) 576-1100
elizabeth.sperling@alston.com

Daniel G. Jarcho (pro hac vice)
ALSTON & BIRD LLP
950 F Street, NW
Washington, DC 20004
Telephone: (202) 239-3300
Daniel.jarcho@alston.com

Cari K. Dawson (pro hac vice)
Scott A. Elder (pro hac vice)
Jenny A. Hergenrother (pro hac vice)
ALSTON & BIRD LLP
1201 West Peachtree Street, Suite 4900
Atlanta, GA 30309-3424
Telephone: (404) 881-7000
cari.dawson@alston.com
scott.elder@alston.com
jenny.hergenrother@alston.com

Attorneys for Defendant Noramco, Inc.

By: /s/ Zachary Hill

Zachary Hill (S.B. #275886)
MORGAN, LEWIS & BOCKIUS LLP
One Market, Spear Street Tower
San Francisco, CA 94105-1596
Tel: (415) 442-1000
zachary.hill@morganlewis.com

Wendy West Feinstein (pro hac vice)
MORGAN, LEWIS & BOCKIUS LLP
One Oxford Centre, 32nd Fl.
Pittsburgh, PA 15219-6401
Tel: (412) 560-7455
wendy.feinstein@morganlewis.com

*Attorneys for Defendants
Teva Pharmaceuticals USA, Inc.;*

Tel: (213) 430-6000
 Fax: (213) 430-6407
 clifland@omm.com
 sstrong@omm.com

Amy J. Laurendeau (S.B. #198321)
 O'MELVENY & MYERS LLP
 610 Newport Center Drive, 17th Floor
 Newport Beach, CA 92660
 Tel: (949) 823-6900
 Fax: (949) 823-6994
 alaurendeau@omm.com

Stephen D. Brody (pro hac vice)
 O'MELVENY & MYERS LLP
 1625 Eye Street, NW
 Washington, DC 20006
 Tel: (202) 383-5300
 Fax: (202) 383-5414
 sbrody@omm.com

*Attorneys for Defendants Johnson &
 Johnson, Janssen Pharmaceuticals, Inc.,
 Ortho-McNeil-Janssen Pharmaceuticals,
 Inc., and Janssen Pharmaceutica, Inc.*

By: /s/ Alan R. Ouellette
 Alan R. Ouellette (CA Bar No. 272745)
 FOLEY & LARDNER LLP
 555 California Street, Suite 1700
 San Francisco, CA 94104-1520
 Telephone: (415) 434-4484
 Facsimile: (415) 434-4507
 aouellette@foley.com

James W. Matthews (Pro Hac Vice)
 Ana M. Francisco (Pro Hac Vice)
 Katy E. Koski (Pro Hac Vice)
 FOLEY & LARDNER LLP
 111 Huntington Avenue
 Boston, MA 02199-7610
 Telephone: (617) 342-4000
 Facsimile: (617) 342-4001
 jmatthews@foley.com
 afrancisco@foley.com
 kkoski@foley.com

Attorneys for Defendant Anda, Inc.

*Cephalon, Inc.; Actavis LLC; Actavis
 Pharma, Inc. f/k/a Watson Pharma, Inc.;
 Watson Laboratories, Inc.; Warner
 Chilcott Company LLC; Actavis South
 Atlantic LLC; Actavis Elizabeth LLC;
 Actavis Mid Atlantic LLC; Actavis
 Totowa LLC; Actavis Kadian LLC;
 Actavis Laboratories UT, Inc. f/k/a
 Watson Laboratories, Inc.-Salt Lake
 City; and Actavis Laboratories FL, Inc.
 f/k/a Watson Laboratories, Inc.-Florida*

By: /s/ Sean O. Morris
 Sean O. Morris (SBN 200368)
 John D. Lombardo (SBN 187142)
 ARNOLD & PORTER KAYE
 SCHOLER LLP
 777 South Figueroa Street, 44th Floor
 Los Angeles, CA 90017-5844
 Tel: (213) 243-4000
 Fax: (213) 243-4199
 Sean.Morris@arnoldporter.com
 John.Lombardo@arnoldporter.com

*Attorneys for Defendants Endo
 Pharmaceuticals Inc., Endo Health
 Solutions Inc., Par Pharmaceutical, Inc.,
 and Par Pharmaceutical Companies,
 Inc.*

By: /s/ Charles J. Stevens
 Charles J. Stevens (SBN 106981)
 cstevens@gibsondunn.com
 Joshua D. Dick (SBN 268853)
 jdick@gibsondunn.com
 Kelsey J. Helland (SBN 298888)
 khelland@gibsondunn.com
 GIBSON DUNN & CRUTCHER LLP
 555 Mission Street, Suite 3000
 San Francisco, CA 94105
 Telephone: 415.393.8200
 Facsimile: 415.393.8306

Kaspar Stoffelmayr (pro hac vice)
 kaspar.stoffelmayr@bartlitbeck.com
 Katherine M. Swift (pro hac vice)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

kate.swift@bartlitbeck.com
BARTLIT BECK LLP
54 West Hubbard Street
Chicago, IL 60654
Telephone: 312.494.4400
Facsimile: 312.494.4440

Alex Harris (pro hac vice)
alex.harris@bartlitbeck.com
BARTLIT BECK LLP
1801 Wewatta Street, Suite 1200
Denver, CO 80202
Telephone: 303.592.3100
Facsimile: 303.592.3140

Attorneys for Defendant Walgreen Co.

ATTESTATION

Pursuant to Civil L.R. 5-1(i)(3), I hereby attest that concurrence in the filing of this document has been obtained from the above signatories.

Dated: November 19, 2020

By: /s/ August Gugelmann

CERTIFICATE OF SERVICE

I hereby certify that, on November 19, 2020, service of this document was accomplished pursuant to the Court's electronic filing procedures by filing this document through the ECF system.

/s/ August Gugelmann

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The December 11, 2020 hearing is continued to December 18, 2020, at 9:00 a.m. The deadline for the parties to meet and confer regarding issues for which the Court's Discovery Order No. 2 set a deadline of November 23 is continued to November 30, 2020.

Dated: November 20, 2020


Hon. Jacqueline Scott Corley
United States Magistrate Judge